IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

Criminal Application No.1214 of 2007
IN
Criminal appeal No.951 of 2004

Jaffar Abdul Haque Shaikh. .. .. Applicant/ Appellant
(Orig. Accused No.5)

V/s.

The State of Maharashtra. .. ..Respondent
(Orig. Complainant)

Mr.K.M. Sangani for Applicant.

Dr.F.R. Shaikh, Addl. PP for Respondent.

CORAM : DR.S. RADHAKRISHNAN &
SMT.ROSHAN DALVI, JJ.

Dated : 31st October, 2007

P.C. :

1. Heard the learned Counsel for the Applicant and the learned Additional Public Prosecutor for the Respondent-State.

2. By this Application, the Applicant-Appellant (original Accused No.5), who was granted bail by this Court by an order dated 12th October 2004, seeks permission to attend

the wedding of his adopted son at Uttar Pradesh. It appears that the wedding is scheduled on 18th November 2007 and thereafter there is a wedding function on 20th November 2007. The aforesaid bail order makes it clear that the Applicant shall not leave Mumbai without prior permission of this Court. The learned Counsel for the Applicant points out that the Applicant has not misused the bail and he has complied with all the conditions.

3. Having regard to the aforesaid facts and circumstances of the case, we permit the Applicant to leave Mumbai on 13th of November 2007 by his own car. He should be accompanied by a Constable from the concerned Police Station. However, the Constable will be in civilian clothes. The Applicant should come back to Mumbai, latest by 23rd November 2007. The Constable shall accompany the Applicant throughout in civilian clothes. The Applicant shall bear all the expenses of the Constable.

4. With the aforesaid conditions, the Applicant is allowed to

leave Mumbai and attend the aforesaid wedding and the wedding function and come back to Mumbai. As soon as the Applicant comes back to Mumbai on 23rd November 2007, he shall report to the concerned Police Station on the very day.

5. The Application stands disposed of accordingly.

6. Parties to act on an authenticated copy of this order.

(DR.S. RADHAKRISHNAN, J.)

(SMT.ROSHAN DALVI, J.)